



Practitioner's Docket No. NEB-164-PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

are application of: Karen E. Sandman, Christopher J. Noren

Application No.: 09/937,187

Group No.: 1639

Filed: September 21, 2001

Examiner: Lundgren

For: Surface Display of Selenocysteine-Containing Peptides

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 21, 2006, for a second time rejecting claims 38-43, 46 (originally numbered 40-45, 48).

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on September 21, 2001.

CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

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X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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37 C.F.R. § 1.10\*

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TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (571) 273 -8300.

Date: May 19, 2006

05/23/2006 102500H1 00000012 09937187  
03 CC 12401 250.00 OP  
Signature

Leslie Goldberg

(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board--page 1 of 2

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

|                          |          |
|--------------------------|----------|
| Small entity             | \$250.00 |
| Notice of Appeal fee due | \$250.00 |

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

|     |          |
|-----|----------|
| Fee | \$225.00 |
|-----|----------|

If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

|                      |                 |
|----------------------|-----------------|
| Notice of Appeal fee | \$250.00        |
| Extension fee        | \$225.00        |
| <b>TOTAL FEE DUE</b> | <b>\$475.00</b> |

**5. FEE PAYMENT**

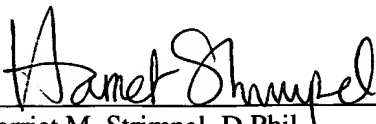
Attached is a check in the amount of \$475.00.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 14-0740.

Date: May 19, 2006

  
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